

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2001-114

February 16, 2001

CENTRAL MAINE POWER COMPANY
Request for Approval of Contract
(Non-standard CEP Contract) with
Duke Energy Trading and Marketing

ORDER APPROVING
NON-STANDARD CONTRACT
BETWEEN CENTRAL MAINE
POWER COMPANY AND A
COMPETITIVE ELECTRICITY
PROVIDER (DUKE ENERGY
TRADING AND MARKETING,
L.L.C.)

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On February 14, 2001, Central Maine Power Company (CMP) filed a request for approval of a proposed contract between CMP and Duke Energy Trading and Marketing, L.L.C. (DETM). The proposed contract governs the terms, procedures and prices of various transactions between DETM, a competitive electricity provider, and CMP, the transmission and distribution utility in whose territory DETM will provide service to customers.

The proposed contract differs from the Commission-approved standard form contract in only two respects. First, the contract corrects a typographic error in Section 18 by capitalizing the term "Claim" throughout the entire Section. Second, the contract inserts the following language in Section 25.1:

Notwithstanding the foregoing, either party may assign this Agreement to an affiliate without first obtaining the non-assigning party's prior written consent provided the assignee has a credit status which, in the non-assigning party's sole reasonable opinion, is at least as sound as that of the assignor.

Pursuant to Section 10 of Chapter 322 of the Commission's Rules and Regulations, if contracts between transmission and distribution utilities and competitive electricity providers do not conform to the Commission-approved standard form contract, such contracts must be filed with the Commission for approval. Approval of such contracts has been delegated to the Director of Technical Analysis.

I have considered the proposed contract and discussed the changes with CMP. The changes are minor; thus, the proposed contract is substantially similar to the standard form contract that has previously been approved by the Commission.

Accordingly, it is

O R D E R E D

That the non-standard contract between Central Maine Power Company and Duke Energy Trading and Marketing, L.L.C., as filed on February 14, 2001, is approved.

Dated at Augusta, Maine, this 16th day of February, 2001.

BY ORDER OF THE DIRECTOR OF TECHNICAL ANALYSIS

Faith Huntington
Acting Director